DOCUMENT RESUME

ED 312 742 EA 021 381

TITLE Proposed Legislation--"Educational Excellence Act of 1989." Message from the President of the United States Transmitting a Draft of Proposed Legislation To Promote Excellence in American Education by Recognizing and Rewarding Schools, Teachers, and Students for Their Outstanding Achievements; Enhancing Parental Choice; Encouraging the Study of Science, Mathematics, and Engineering; and for Other Purposes. 101st Congress, 1st Session (April 5, 1989).

INSTITUTION Congress of the U.S., Washington, D.C. House.

REPORT NO House-Doc-101-41

PUB DATE 89

NOTE 58p.

PUB TYPE Legal/Legislative/Regulatory Materials (090)

EDRS PRICE MF01/PC03 Plus Postage.

DESCRIPTORS Academic Achievement; Change Strategies; Educational Change; *Educational Quality; *Elementary Secondary Education; Engineering Education; *Excellence in Education; Mathematics Education; Parent Participation; *Public Schools; Science Education; *Teacher Effectiveness; Teacher Employment; Teacher Employment Benefits

IDENTIFIERS *Bush (George)

ABSTRACT

The Educational Excellence Act of 1989 is a bill designed to provide excellence in American education. Seven specific legislative initiatives are aimed at fulfilling this principle: (1) Presidential Merit Schools program; (2) Magnet Schools of Excellence program; (3) the Alternative Certification of Teachers and Principals program; (4) President's Awards for Excellence in Education; (5) Drug-Free Schools Urban Emergency Grants; (6) National Science Scholars program; and (7) Historically Black Colleges and Universities grants. The President's message is followed by the text of the bill. The document concludes with a section-by-section analysis of the Educational Excellence Act of 1989. (SI)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED312742

EA

101st Congress, 1st Session - - - - - - - - - - House Document 101-41

PROPOSED LEGISLATION—"EDUCATIONAL EXCELLENCE ACT OF 1989"

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A DRAFT OF PROPOSED LEGISLATION TO PROMOTE EXCELLENCE IN AMERICAN EDUCATION BY RECOGNIZING AND REWARDING SCHOOLS, TEACHERS, AND STUDENTS FOR THEIR OUTSTANDING ACHIEVEMENTS; ENHANCING PARENTAL CHOICE; ENCOURAGING THE STUDY OF SCIENCE, MATHEMATICS, AND ENGINEERING; AND FOR OTHER PURPOSES

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)
☒ This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality.
• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

APRIL 5, 1989.—Message and accompanying papers referred to the Committee on Education and Labor and ordered to be printed.

U.S. GOVERNMENT PRINTING OFFICE
29-011 WASHINGTON : 1989

EA021381

BEST COPY AVAILABLE

To the Congress of the United States:

I am pleased to transmit today for your immediate consideration and enactment the "Educational Excellence Act of 1989," a bill to provide incentives to attain a better-educated America. I believe that greater educational achievement promotes sustained economic growth, enhances the Nation's competitive position in world markets, increases productivity, and leads to higher incomes for everyone. The Nation must invest in its young people, giving them the knowledge, skills, and values to live productive lives. The "Educational Excellence Act of 1989" would move us toward this goal.

The initiatives included in this bill embody four principles central to my Administration's policies on education and essential for further education reform. These principles are:

(1) *Recognition of excellence.* Excellence and achievement in education should be recognized and rewarded.

(2) *Addressing need.* Federal dollars should be targeted to help those most in need.

(3) *Flexibility and choice.* Greater flexibility and choice in education—both for parents in selecting schools for their children and local school systems' choice of teachers and principals—are essential.

(4) *Accountability.* I support educational accountability, and toward this end, I am committed to measuring and rewarding progress toward quality education.

This legislation builds on the accomplishments of the last Congress, which enacted into law the Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988. That law took significant steps toward improving elementary and secondary education by improving program accountability, reauthorizing the magnet school program and expanding parental choice, providing greater flexibility to local school districts in the implementation of bilingual education programs, enhancing parental involvement in programs for disadvantaged children, and stimulating education innovation and reform. My proposals have distinct differences from current law, but complement in numerous ways the important work of the 100th Congress in pursuing educational excellence.

The Educational Excellence Act of 1989 includes seven specific legislative initiatives aimed at fulfilling these important principles:

(1) The *Presidential Merit Schools* program would reward public and private elementary and secondary schools that have made substantial progress in raising students' educational achievement, creating a safe and drug-free school environment, and reducing the dropout rate. This program would provide a powerful incentive for all schools to improve their educational performance.

(2) A new *Magnet Schools of Excellence* program would support the establishment, expansion, or enhancement of magnet schools, without regard to the presence of desegregation plans in applicant districts. Magnet schools have been highly successful at increasing parental choice and improving educational quality.

(3) The *Alternative Certification of Teachers and Principals* program would assist States interested in broadening the pool of talent from which to recruit teachers and principals. Funds would assist States to develop and implement, or expand and improve, flexible certification systems, so that talented professionals who have demonstrated their subject area competence or leadership qualities in fields outside education might be drawn into education.

(4) *President's Awards for Excellence in Education* would be given to teachers in every State who meet the highest standards of excellence. Each award would be for $5,000.

(5) Drug-Free Schools *Urban Emergency Grants* would provide special assistance to urban school districts that are disproportionately affected by drug trafficking and abuse. These funds would be used for a comprehensive range of services appropriate to the needs of individual communities.

(6) A *National Science Scholars* program would provide scholarships to high school seniors who have excelled in the sciences and mathematics. These scholarships, of up to $10,000 a year, would recognize recipients' academic achievement and encourage them to continue their education in science, mathematics, and engineering. The President would select recipients after considering recommendations made by Senators and Members of the House of Representatives.

(7) I am proposing to provide additional endowment matching grants for *Historically Black Colleges and Universities,* institutions that occupy a unique position and have a major responsibility in the structure of American higher education.

I urge the Congress to take prompt and favorable action on this legislation. Taken together, these seven initiatives, for which I have proposed adding $422.6 million in the 1990 budget, would help us advance toward the goal of a better-educated Nation.

In addition to these initiatives, I have proposed a budget amendment for $13 million in new funds for experiments and data collection in support of education reform. I am also asking the Congress to fund fully the authorization in the Stewart McKinney Homeless Assistance Act. This includes $2.5 million to fund for the first time the Exemplary Grants program and $2.7 million in additional funding for literacy programs for homeless adults.

GEORGE BUSH.

THE WHITE HOUSE, *April 5, 1989.*

A BILL

To promote excellence in American education by recognizing and rewarding schools, teachers, and students for their outstanding achievements; enhancing parental choice; encouraging the study of science, mathematics, and engineering; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. SHORT TITLE.--This Act may be cited as the "Educational Excellence Act of 1989".

SEC. 2. TABLE OF CONTENTS.--This Act is organized as follows:

TITLE I--IMPROVING ELEMENTARY AND SECONDARY EDUCATION

PART A--PRESIDENTIAL MERIT SCHOOLS

PART B--MAGNET SCHOOLS OF EXCELLENCE

PART C--ALTERNATIVE CERTIFICATION FOR TEACHERS AND PRINCIPALS

PART D--PRESIDENTIAL AWARDS FOR EXCELLENCE IN EDUCATION

PART E--EFFECTIVE DATE

TITLE II--NATIONAL SCIENCE SCHOLARS

TITLE III--OTHER PROGRAMS

TITLE I--IMPROVING ELEMENTARY AND SECONDARY EDUCATION

PART A--PRESIDENTIAL MERIT SCHOOLS

PRESIDENTIAL MERIT SCHOOLS

SEC. 101. Title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) is amended by adding at the end thereof a new Part G to read as follows:

"PART G--PRESIDENTIAL MERIT SCHOOLS

"SHORT TITLE

"SEC. 4701. This part may be cited as the 'Presidential Merit Schools Act'.

"FINDINGS AND PURPOSE

"SEC. 4702. (a) FINDINGS.--The Congress finds that--

"(1) the basic goal of all schools is to develop the skills and abilities of students to their maximum potential;

"(2) achievable standards of excellence can and should be set for all students and for all schools;

"(3) financial incentives can spur schools to rise to the challenge of meeting these standards; and

"(4) improvement in the quality of our educational system is vital to the Nation's future, and demonstrated schoolwide progress in achieving excellence deserves public recognition.

"(b) PURPOSE.--The purpose of this part is to recognize and reward public and private elementary and secondary schools that have made substantial progress in--

"(1) raising student educational achievement;

"(2) creating a safe and drug-free school environment; and

"(3) reducing the dropout rate.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 4703. For the purpose of carrying out this part, there are authorized to be appropriated $250,000,000 for fiscal year 1990, $350,000,000 for fiscal year 1991, $450,000,000 for fiscal year 1992, and $500,000,000 for fiscal year 1993.

"ALLOCATION OF APPROPRIATIONS

"SEC. 4704. (a) RESERVATIONS.--From the amount appropriated under section 4703 for any fiscal year, the Secretary may reserve--

"(1) up to one quarter of 1 percent for grants to Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and Palau (until the effective date of the Compact of Free Association with the Government of Palau) for activities under this part; and

"(2) up to $500,000 for--

"(A) special award ceremonies; and

"(B) evaluations, studies, and reports.

"(b) ALLOCATION AMONG STATES.--(1) The amount remaining after any reservation of funds under subsection (a) shall be allocated to States as follows:

"(A) from one half of such amount, each State shall be allocated an amount that bears the same ratio to such amount as the number of children aged 5 to 17, inclusive, in the State bears to the number of such children in all such States, according to the most recent available data that are satisfactory to the Secretary; and

"(B) the other one half of such amount shall be allocated among such States on the same basis as funds are allocated among such States under section 1005 of this Act for the same fiscal year.

"(2) For purposes of this subsection, the term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

"STATE APPLICATIONS

"SEC. 4705. (a) FOUR-YEAR APPLICATION.--Each State that wishes to receive a grant under this part shall submit to the Secretary, through its State educational agency, an application for a four-year period, at such time and in such manner as the Secretary may prescribe.

"(b) APPLICATION CONTENTS.--Each State application shall contain--

"(1) the criteria the State educational agency will use to select Presidential Merit Schools under section 4708;

"(2) the criteria it will use to determine the amount of awards;

"(3) an assurance that it will carry out this part in accordance with the requirements of this part and other applicable legal requirements; and

"(4) other information the Secretary may require.

"(c) GEPA PROVISIONS INAPPLICABLE.--Sections 435 and 436 of the General Education Provisions Act, except to the extent that such sections relate to fiscal control and fund accounting procedures, shall not apply to this part.

"STATE USE OF FUNDS

"SEC. 4706. (a) ADMINISTRATION.--Each State educational agency may use up to 5 percent of its grant for the administrative costs of carrying out this part.

"(b) PRESIDENTIAL MERIT SCHOOL AWARDS.--Each State educational agency shall use at least 95 percent of its grant for Presidential Merit School awards made in accordance with section 4708.

"(c) INSULAR AREAS.--The provisions of Public Law 93-134, permitting the consolidation of grants to the Insular Areas, shall not apply to funds received by such areas under this part.

"STATE ACTIVITIES AND RESPONSIBILITIES

"SEC. 4707. (a) STATE REVIEW PANEL.--(1) Each State educational agency shall establish a State review panel to assist in the selection of Presidential Merit Schools.

"(2) The State review panel shall be broadly representative of the following interests in the State--

"(A) elementary and secondary school teachers and administrators;

"(B) college and university faculty and administrators;

"(C) parents;

"(D) State and local boards of education;

"(E) State and local governments;

"(F) labor;

"(G) business; and

"(H) the general public.

"(b) ANNUAL REPORTS TO THE SECRETARY.--(1) Within 60 days of making Presidential Merit School awards under this part for any fiscal year, each State educational agency shall submit a report to the Secretary that--

"(A) identifies the schools chosen as Presidential Merit Schools;

"(B) states the reasons for their selection; and

"(C) states the amount of their awards.

"(2) Beginning with the second year for which any State educational agency receives funds under this part, its annual report shall also include a brief description of how schools selected in the previous year used their awards.

"SELECTION OF PRESIDENTIAL MERIT SCHOOLS

"SEC. 4708. (a) ELIGIBLE SCHOOLS.--(1) A State educational agency may designate as a Merit School any public or private elementary or secondary school in the State that has been nominated through procedures established by such agency.

"(2) In selecting Presidential Merit Schools, each State educational agency shall apply the selection criteria uniformly to public and private schools.

"(b) CRITERIA ESTABLISHED BY SECRETARY.--(1) The Secretary shall establish minimum criteria to be used by every State educational agency in selecting Presidential Merit Schools.

"(2) The criteria established by the Secretary shall address--

"(A) progress in improving educational performance, with particular emphasis on mastery of reading, writing, and mathematics skills;

"(B) the degree to which the school demonstrates progress in achieving and maintaining a safe environment, including reduction or elimination of problems related to drug and alcohol use; and

"(C) progress in reducing the number of students who drop out of school or in encouraging those who have dropped out to reenter school and complete their schooling.

"(c) STATE CRITERIA.--(1) Based on the selection criteria established by the Secretary, as required by subsection (b), each State educational agency shall establish additional criteria that measure progress in such areas as--

"(A) student achievement, as measured by such factors as year-to-year improvement in test scores, college entrance rates, and employment of graduates in jobs with significant potential for career development; and

"(B) other indicators of a school's success, such as improvements in school leadership, the teaching and learning environment, and parental and community support and involvement.

"(2) In setting criteria for Presidential Merit Schools, the State educational agency may establish standards that recognize the composition of the student body and other relevant factors, and that give special consideration to schools with substantial numbers or proportions of children from low-income families. The State educational agency may also set different criteria for different grade levels.

"(3) In applying the criteria to a school in which a program is conducted under part A of chapter 1 of title I of this Act, the State educational agency shall consider the desired outcomes identified for children in the application submitted under section 1012(b) of this Act by the local educational agency operating the school. No school that a local educational agency has identified under section 1021(b) of this Act shall be eligible for a Presidential Merit School award.

"(4) In selecting Presidential Merit Schools and in setting the amount of their awards, the State educational agency may not consider a school's planned use of a Presidential Merit School award.

"(d) AMOUNT OF AWARD.--Each State educational agency shall establish criteria, subject to subsection (c)(4), including criteria relating to the size of the school and the economic circumstances of the student body, for determining the amount of Presidential Merit School awards.

"(e) BYPASS.--If a State educational agency is either prohibited by State law from providing funds made available under this part to private schools, or is unwilling to do so, it shall notify the Secretary of such prohibition or unwillingness, as well as the private schools it has designated as Presidential Merit Schools and the amount of their awards. The Secretary shall then provide those funds, from the State's allocation under this part, to the designated private schools, through such arrangements as the Secretary finds suitable. The Secretary shall also withhold from the State's allocation under this part the administrative costs of making such arrangements.

"PRESIDENTIAL CERTIFICATES OF MERIT

"SEC. 4709. Each Presidential Merit School shall be awarded a Presidential Certificate of Merit.

"USE OF FUNDS BY PRESIDENTIAL MERIT SCHOOLS

"SEC. 4710. A Presidential Merit School shall use its Presidential Merit School award for activities that further the educational program of the school. Such activities may include, but are not limited to--

"(1) development, implementation, or expansion of special programs, such as those focused on: dropout prevention or reentry, student transition to college or employment, preschool children, remedial services, or gifted and talented students;

"(2) the purchase or lease of computers, telecommunications equipment, scientific instruments, instructional materials, library books, and other equipment and materials, except that a public agency shall have title to, and exercise administrative control of, all such equipment and materials;

"(3) bonus payments for faculty and administrators;

"(4) college scholarships for secondary school students;

"(5) parental involvement activities;

"(6) community outreach activities; and

"(7) helping other schools replicate its success.

"PROHIBITION ON STATE OR LOCAL REDUCTION OF OTHER ASSISTANCE

"SEC. 4711. No Federal, State, or local agency may, in any year, take a Presidential Merit School award into account in determining whether to award any other assistance from Federal, State, or local resources, or in determining the amount of such assistance, to either the Presidential Merit School itself or the local educational agency, if any, that operates the school.".

PART B--MAGNET SCHOOLS OF EXCELLENCE

MAGNET SCHOOLS OF EXCELLENCE

SEC. 111. Title IV of the Elementary and Secondary Act of 1965 is further amended by adding at the end thereof a new part H to read as follows:

"PART H--MAGNET SCHOOLS OF EXCELLENCE

"SHORT TITLE

"SEC. 4801. This part may be cited as the 'Magnet Schools of Excellence Act of 1989'.

"FINDINGS

"SEC. 4802. The Congress finds that--

"(1) no single method of education, or single way of organizing schools and school systems, is best for every community or every group of students;

"(2) magnet schools have increased competition and choice and helped to improve the quality of schools and the education of children in the school districts in which they have been established;

"(3) magnet schools that focus on mathematics and science train future leaders in disciplines that are of critical importance to the Nation's economic competitiveness; and

"(4) Federal funds should be made available for the design and implementation of magnet schools, not only to further

school desegregation but also to expand educational choices for students and parents and the educational benefits of such special academic and vocational school programs.

"PURPOSE

"SEC. 4803. (a) It is the purpose of this part to support the establishment, expansion, or enhancement of Magnet Schools of Excellence in order to promote open enrollment through parental choice and to strengthen the knowledge of elementary and secondary school students in academic and vocational subjects.

"(b) As used in this part, the term 'Magnet School of Excellence' means a public elementary or secondary school that--

"(1) offers the highest quality instruction in an academic or vocational discipline or creates a unique and effective learning enviroment;

"(2) is open to students from beyond the immediate school attendance area; and

"(3) is capable of attracting students from a variety of backgrounds.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 4804. For the purpose of carrying out this part, there are authorized to be appropriated $100,000,000 for fiscal year 1990 and each of the three succeeding fiscal years.

"GRANT APPLICATIONS

"SEC. 4805. (a)(1) Any local educational agency, intermediate educational agency, or consortia of such agencies desiring to receive a grant under this part shall submit an application at such time, in such manner, and containing such information, as the Secretary may require.

"(2) An applicant may be, but is not required to be, adopting or implementing a desegregation plan.

"(b) Each application shall contain--

"(1) a description of--

"(A) the objectives of the proposed project and how those objectives will achieve the purpose of this part, as set out in section 4803; and

"(B) how the funds made available to the applicant will be used to provide an educational program of the highest quality that will encourage greater parental decision-making and involvement; and

"(2) such assurances as the Secretary may reasonably require.

"(c) The Secretary shall encourage applications for proposed projects that--

"(1) recognize the potential of children who are educationally disadvantaged or who come from low-income families; and

"(2) establish, expand, or enhance magnet schools that focus on a particular educational approach or on a particular subject area, such as mathematics and science.

"(d) Each application submitted pursuant to this section shall demonstrate to the satisfaction of the Secretary that any proposed project assisted with funds under this part will not result in segregation based upon race, religion, color, national origin, sex, or handicap, or impede the progress of desegregation within the applicant's school system.

"SELECTION OF APPLICATIONS

"SEC. 4806. In awarding grants under this part, the Secretary shall consider the quality of the proposed project, the likelihood of the project's successful implementation, and the likelihood of its strengthening the educational program of the applicant.

"LIMITATIONS

"SEC. 4807. (a) No Magnet School of Excellence may be supported with funds under this part for more than two years.

"(b) No applicant may receive a grant for more than one year under this part, unless it demonstrates to the Secretary that the Magnet School of Excellence for which assistance was provided in the first year is making satisfactory progress in meeting the objectives specified in its approved application.

"(c) No Federal, State, or local agency may, in any year, take a Magnet School of Excellence award into account in determining whether to award any other assistance from Federal, State, or local resources, or in determining the amount of such assistance, to either a Magnet School of Excellence itself or to the local educational agency or intermediate educational agency that operates the school.".

PART C--ALTERNATIVE CERTIFICATION FOR TEACHERS AND PRINCIPALS

ALTERNATIVE CERTIFICATION FOR TEACHERS AND PRINCIPALS PROGRAM

SEC. 121. Title IV of the Elementary and Secondary Education Act of 1965 is further amended by adding at the end thereof a new part I to read as follows:

"PART I--ALTERNATIVE CERTIFICATION FOR TEACHERS AND PRINCIPALS

"SHORT TITLE

"SEC. 4901. This part may be cited as the 'Alternative Certification of Teachers and Principals Assistance Act of 1989'.

"FINDINGS

"SEC. 4902. The Congress finds that--

"(1) effective elementary and secondary schools require competent teachers and strong leadership;

"(2) school systems would benefit greatly by recruitment pools of well-qualified individuals, such as scientists and engineers, from which to select teachers and principals;

"(3) talented professionals who have demonstrated a high level of subject area competence or management and leadership qualities outside the education profession wish to pursue second careers in education, but often do not meet traditional certification requirements; and

"(4) alternative certification requirements that do not exclude such individuals from teaching or school administration solely because they do not meet current certification requirements would allow school systems to take advantage of these professionals and improve the supply of well-qualified teachers and principals.

"PURPOSE

"SEC. 4903. (a) It is the purpose of this part to improve the supply of well-qualified elementary and secondary school teachers and principals by encouraging and assisting States to develop and implement alternative teacher and principal certification requirements.

"(b) As used in this part, the term--

"(1) 'alternative teacher and principal certification requirements' means State or local requirements that permit entry into elementary and secondary teacher and principal positions for individuals who have demonstrated a high level of appropriate subject area competence, or management or leadership qualities, in careers in or out of the education field, but who would not otherwise meet existing requirements for teaching or supervisory positions. Alternative teacher and principal certification requirements may recognize that--

"(A) for teachers, a high level of demonstrated competence in an appropriate subject area may be substituted for traditional teacher certification requirements (such as teacher training course work); and

"(B) for principals, a high level of demonstrated competence in administration and management may be substituted for traditional principal certification requirements (such as teaching experience or supervisory experience in the field of education); and

"(2) 'State' means any of the States of the Union, the District of Columbia, and the Commonwealth of Puerto Rico.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 4904. For the purpose of carrying out this part, there are authorized to be appropriated $25 million for fiscal year 1990.

"ALLOTMENTS

"SEC. 4905. (a)(1) From the amount appropriated to carry out this part, the Secretary shall allot to each State the lesser of either the amount the State applies for under section 4906 or an amount that is proportional to the State's share of the total population of children ages five through seventeen in all the States (based on the most recent data available that is satisfactory to the Secretary).

"(2) If a State does not apply for its allotment, or the full amount of its allotment, under the preceding paragraph, the Secretary may reallocate the excess funds to one or more other States that demonstrate, to the satisfaction of the Secretary, a current need for the funds.

"(b) Nothwithstanding section 412(b) of the General Education Provisions Act, funds awarded under this part shall remain available for obligation by a recipient for a period of two calendar years from the date of the grant.

"STATE APPLICATIONS

"SEC. 4906. (a) Any State desiring to receive a grant under this part shall submit an application at such time, in such manner, and containing such information, as the Secretary may reasonably require.

"(b) Each State application shall--

"(1) describe the programs, projects, and activities to be undertaken; and

"(2) contain such assurances as the Secretary deems necessary, including assurances that--

"(A) funds awarded to the State will be used to supplement, and not to supplant, any State or local funds available for the development and implementation of alternative teacher and principal certification requirements;

"(B) the State has, in developing its application, consulted with the State or local agency that certifies teachers and principals, as well as representatives of elementary and secondary school teachers and principals, local school systems, parents, and other interested organizations and individuals; and

"(C) the State will submit to the Secretary, at such time as the Secretary may specify, a final report describing the activities carried out with funds awarded under this part and the results achieved.

"(c) Sections 435 and 436 of the General Education Provisions Act, except to the extent that such sections relate to fiscal control and fund accounting procedures, shall not apply to this part.

"USE OF FUNDS

"SEC. 4907. (a)(1) A State shall use funds awarded under this part to support programs, projects, or activities that develop and implement new, or expand and improve existing, alternative teacher and principal certification requirements.

"(2) A State may carry out such programs, projects, or activities directly, through contracts, or through subgrants to local educational agencies, intermediate educational agencies, institutions of higher education, or consortia of such agencies.

"(b) Programs, projects, and activities supported under this part may include, but are not limited to, the--

"(1) design, development, implementation, testing, and evaluation of alternative teacher and principal certification requirements;

"(2) establishment of administrative structures necessary to the development and implementation of alternative

teacher and principal certification requirements;

"(3) training of staff, including the development of appropriate support programs, such as mentor programs, for teachers and principals entering the school system through the alternative teacher and principal certification program;

"(4) development of recruitment strategies; and

"(5) development of reciprocity agreements between or among States for the certification of teachers and principals.

"EXPIRATION DATE

"SEC. 4908. Effective October 1, 1990, the Alternative Certification of Teachers and Principals Assistance Act of 1989 is repealed.".

PART D--PRESIDENTIAL AWARDS FOR EXCELLENCE IN EDUCATION

PRESIDENTIAL AWARDS FOR EXCELLENCE IN EDUCATION PROGRAM

SEC. 131. (a) The heading for title II of the Elementary and Secondary Education Act of 1965 is amended to read as follows: "CRITICAL SKILLS IMPROVEMENT AND PRESIDENTIAL TEACHER AWARDS".

(b) Title II of the Elementary and Secondary Education Act of 1965 is further amended by adding at the end thereof the following new part:

"PART D--PRESIDENTIAL AWARDS FOR EXCELLENCE IN EDUCATION PROGRAM

"FINDINGS AND PURPOSE

"SEC. 2301. (a) FINDINGS.--The Congress finds that--

"(1) the success of America's elementary and secondary schools depends most heavily upon the Nation's teachers;

"(2) when teachers are highly motivated and committed to excellence, they succeed not only in imparting subject matter knowledge, but also in instilling in their students an appreciation of the value and importance of education;

"(3) elementary and secondary school systems should have in place standards of teacher excellence and fair and effective procedures for measuring teacher success; and

"(4) in return for their efforts, excellent elementary and secondary school teachers deserve public recognition, respect, and appropriate financial awards.

"(b) PURPOSE.--It is the purpose of this subpart to reward teachers in every State who meet the highest standards of excellence.

"AUTHORIZATION OF APPROPRIATIONS; ALLOCATIONS TO STATES

"SEC. 2302. (a) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated $7,600,000 for fiscal year 1990 and each of the three succeeding fiscal years to carry out the provisions of this part.

"(b) ALLOCATION FORMULA.--(1) From the funds appropriated for any fiscal year for this part under subsection (a), the Secretary may first reserve an amount not to exceed $200,000 for expenses related to an annual award ceremony and the issuance of award certificates.

"(2) From the remaining funds, the Secretary shall allocate to each State an amount that bears the same relation to the total amount available under this paragraph as the number of full-time equivalent public elementary and secondary school teachers in such State bears to the total number of such teachers in all the States, except that no State shall be allocated an amount under this paragraph that is less than the amount necessary to fund one Presidential Award for Excellence in

Education plus the State's administrative expenses as reserved in accordance with subsection (c).

"(3) In determining a State's allocation under paragraph (2), the Secretary shall use the most recent satisfactory data available to the Department.

"(c) ADMINISTRATIVE EXPENSES.--Each State may reserve up to five percent of its allocation under subsection (b)(2) for administrative expenses, including the cost of convening the panel described in section 2304(c).

"(d) USE OF EXCESS FUNDS.--If a State has excess funds remaining after it has made the maximum number of awards possible in accordance with section 2305(a) and reserved a portion of its allocation for administrative expenses in accordance with subsection (c), the State may use the remainder of its allocation for appropriate State ceremonies or other forms of recognition for teachers in the State who do not receive a Presidential Award for Excellence in Education.

"(e) STATE DEFINED.--For the purposes of this part, the term 'State' shall include the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and Palau (until the effective date of the Compact of Free Association with the Government of Palau).

"(f) INSULAR AREAS.--The provisions of Public Law 93-134, permitting the consolidation of grants to the Insular Areas, shall not apply to funds allocated under this part.

"STATE APPLICATIONS

"SEC. 2303. (a) SUBMISSION OF STATE APPLICATIONS.--The Secretary is authorized to make grants to States in accordance with the provisions of this subpart. In order to receive a grant under this subpart, the Governor of each State shall submit a one-time application to the Secretary. Such application shall be filed at such time and in such manner, and shall contain such information, as the Secretary may reasonably require.

"(b) DESCRIPTION OF STATE CRITERIA AND PROCEDURES.--The application shall contain a description of the State's criteria and procedures for selecting recipients of Presidential Awards for Excellence in Education. The State's criteria and procedures shall be subject to the approval of the Secretary.

"(c) ASSURANCES.--The application shall contain assurances that--

"(1) Presidential Awards for Excellence in Education shall be made in accordance with the provisions of this subpart;

"(2) the State shall provide such fiscal control and fund accounting procedures as the Secretary may require; and

"(3) the State shall apply the selection criteria uniformly to nominations for recipients of Presidential Awards for Excellence in Education that are received from public and private schools, teachers, associations of teachers, parents, associations of parents and teachers, businesses, business groups, or student groups, as well as those received from local educational agencies.

"SELECTION OF AWARD RECIPIENTS

"SEC. 2304. (a) ELIGIBLE RECIPIENTS.--Any full-time public or private elementary or secondary school teacher of academic or vocational subjects shall be eligible to receive an award under this subpart, except that teachers of religion (other than religion as an academic discipline) shall not be eligible.

"(b) NOMINATIONS.--(1) Local educational agencies, public and private schools, teachers, parents, associations of teachers, associations of parents and teachers, businesses, business groups and student groups may nominate teachers for awards under this subpart.

"(2) The State educational agency shall notify local educational agencies, public and private schools, associations of teachers, associations of parents and teachers, business groups, and the general public of the deadlines and procedures for making nominations, and inform them of the selection criteria that will be used in selecting award recipients in a given year.

"(c) SELECTION BY STATE PANEL.--Selection of award recipients in each State shall be made from among the teachers nominated in accordance with subsection (b). Award recipients shall be selected by a panel that is chosen by the Governor in consultation with the chief State school officer and is composed of members representing parents, school administrators, teachers, school board members, and the business community.

"(d) SELECTION CRITERIA.--The State panel shall select award recipients in accordance with the criteria approved by the Secretary in the State's application. The selection criteria may take into account, but are not limited to, a teacher's success in--

"(1) educating 'at-risk' students, such as educationally or economically disadvantaged, handicapped, limited English proficient, or homeless children, as well as the children of migrant agricultural workers, to their fullest potential;

"(2) educating gifted and talented students to their fullest potential;

"(3) encouraging students to enroll, and succeed, in advanced classes in subjects such as mathematics, science, and foreign languages;

"(4) teaching in schools educating large numbers of 'at-risk' students, including schools in low-income inner-city or rural areas;

"(5) introducing a new curriculum area into a school or strengthening an established curriculum;

"(6) acting as a 'master teacher' by helping new teachers make the transition into a teaching career; or

"(7) encouraging potential dropouts to remain in school or encouraging individuals who have dropped out to reenter and complete their schooling.

"AMOUNT AND USE OF AWARDS

"SEC. 2305. (a) AMOUNT OF AWARDS.--The amount of a Presidential Award for Excellence in Education shall be $5,000.

"(b) USE OF AWARDS.--An award to an individual recipient under this subpart shall be available for the recipient's use for any purpose.".

PART E--EFFECTIVE DATE

EFFECTIVE DATE

SEC. 141. The amendments made by this title shall be effective October 1, 1989.

TITLE II--NATIONAL SCIENCE SCHOLARS

NATIONAL SCIENCE SCHOLARS PROGRAM

SEC. 201. Part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq., hereinafter referred to in this title as "the Act"), is amended--

(1) by redesignating subparts 7 and 8 as subparts 8 and 9, respectively; and

(2) by inserting immediately after subpart 6 the following new subpart:

"SUBPART 7--NATIONAL SCIENCE SCHOLARS PROGRAM

"PURPOSE; APPROPRIATIONS AUTHORIZED

"SEC. 419L. (a) PURPOSE.--It is the purpose of this subpart--

"(1) to establish a National Science Scholars Program to recognize student excellence and achievement in the physical, life, and computer sciences, mathematics, and engineering;

"(2) to assist students who have demonstrated outstanding academic achievement in continuing their education in these fields of study at sustained high levels of performance; and

"(3) to contribute to strengthening the leadership of the United States in these fields.

"(b) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated $5,000,000 for fiscal year 1990, $10,000,000

for fiscal year 1991, $15,000,000 for fiscal year 1992, and $20,000,000 for fiscal year 1993.

"SCHOLARSHIPS AUTHORIZED

"SEC. 419M. (a) PROGRAM AUTHORITY.--The Secretary is authorized, in accordance with the provisions of this subpart, to carry out a program of awarding scholarships to students who are selected by the President; have demonstrated excellence and achievement in the life, physical, or computer sciences, mathematics, or engineering; and who show promise of continued outstanding academic achievement in these fields of study. The Secretary may carry out this program through grants, contracts, or cooperative agreements.

"(b)(1) PERIOD OF INITIAL AWARD.--A student who satisfies the requirements of section 4190(a) may receive a scholarship, for a period of one academic year, for the first year of undergraduate study at an institution of higher education.

"(2) CONTINUATION AWARDS.--A student who satisfies the requirements of section 4190(b) may receive additional scholarships, each awarded for a period of one academic year, in order to complete his or her undergraduate course of study. A student may receive additional scholarships for up to three academic years of undergraduate study, except that, in the case of a student who is enrolled in an undergraduate course of study that requires attendance for five academic years, the student may receive additional scholarships for up to four academic years of undergraduate study.

"(c) USE AT ANY INSTITUTION PERMITTED.--A student awarded a scholarship under this subpart may attend any institution of higher education, as defined in section 1201(a) of the Act.

"(d) NATIONAL SCIENCE SCHOLARS.--Students awarded scholarships under this subpart shall be known as 'National Science Scholars'.

"SELECTION OF SCHOLARS

"SEC. 419N. (a) SELECTION CRITERIA.--The Secretary shall appoint a panel of experts, composed of scientists, mathematicians, engineers, and representatives of industries that utilize advanced technologies, to recommend to the Secretary specific academic achievement criteria for use in the nomination of scholars. The Secretary shall review the panel's recommendations and publish appropriate academic achievement criteria in the Federal Register.

"(b) SELECTION PROCESS.--(1) Using the criteria described in subsection (a), each State shall nominate at least four, but not more than 10, students from each congressional district within that State. The President shall select students to receive scholarships under this part in accordance with paragraph (2).

"(2)(A) After considering the students nominated under paragraph (1), the President shall select at least 30 students to receive scholarships. The President may consult a board, consisting of the President's Science Advisor, the Secretary, and

the Director of the National Science Foundation, regarding the selection of students under this subparagraph.

"(B) After considering the students nominated under paragraph (1), the President shall select an additional 540 students to receive scholarships. Each Senator and Member of the House of Representatives (or in the case of the District of Columbia, Puerto Rico, the Virgin Islands, Guam, or American Samoa, the Delegate or Resident Commissioner) is entitled to make recommendations to the President regarding the selection of students, nominated under paragraph (1), for one scholarship.

"(c) USE OF EXCESS FUNDS.--If the funds available under this subpart for any fiscal year exceed the amounts required for initial and continuing awards under section 419M(b), the President may, after considering the students nominated under subsection (b)(1), select additional students to receive scholarships under section 419M(b)(1).

"(d) DISBURSAL OF SCHOLARSHIP PROCEEDS.--Scholarship proceeds shall be disbursed on behalf of students who receive scholarships under this subpart to the institutions of higher education at which the students are enrolled. No scholarship proceeds shall be disbursed on behalf of a student until the student is enrolled at an institution of higher education.

"ELIGIBILITY OF SCHOLARS

"SEC. 419O. (a) REQUIREMENTS FOR INITIAL AWARD.--To be

eligible to receive a scholarship under section 419M(b)(1), a student shall--

"(1) be scheduled to graduate from a public or private secondary school, or to obtain the equivalent of a certificate of graduation (as recognized by the State in which the student resides), during the school year in which the award is made, or be scheduled to so graduate or obtain such equivalent within three months after the date of the award;

"(2) have been accepted for enrollment at an institution of higher education as a full-time undergraduate student (as determined by the institution); and

"(3) have declared a major in one of the life, computer, or physical sciences, mathematics, or engineering, or provided a written statement to the State of his or her intent to major in one of these fields of study, if it is the policy of the institution at which the student has been accepted for enrollment that students not declare a major until a later point in their course of study.

"(b) REQUIREMENTS FOR CONTINUATION AWARDS.--A student who has received a scholarship under section 419M(b)(1) may receive a scholarship for a subsequent academic year of undergraduate education under section 419M(b)(2) if the student--

"(1) maintains a superior level of academic achievement, as determined in accordance with the regulations of the Secretary;

"(2) continues to major in, or provides a statement to the State as described in subsection (a)(2) of his or her continuing intent to major in, one of the life, computer, or physical sciences, mathematics, or engineering; and

"(3) continues to be enrolled at an institution of higher education as a full-time undergraduate student (as determined by the institution).

"(c) WAIVER OF FULL-TIME ATTENDANCE REQUIREMENT.--The Secretary may waive the full-time attendance requirements in this section in unusual circumstances.

"(d) FAILURE TO MEET ELIGIBILITY REQUIREMENTS.--In the event that the student fails to meet the requirements of this section, the student's eligibility to receive further scholarships (or scholarship proceeds) under this subpart shall be determined in accordance with the regulations of the Secretary.

"SCHOLARSHIP AMOUNT

"SEC. 419P. (a) AMOUNT OF AWARD.--Except as provided in subsections (b) and (c), the amount of a scholarship awarded under this subpart for any academic year shall be $10,000.

"(b) RELATION TO COST OF ATTENDANCE AND OTHER GRANTS AND SCHOLARSHIPS.--Notwithstanding subsection (a), the amount of a scholarship awarded under this subpart shall be reduced by the amount that the scholarship--

"(1) exceeds the student's cost of attendance, as defined in section 472 of the Act; or

"(2) when combined with other Federal or non-Federal grant or scholarship assistance the student receives in any academic year, exceeds the student's cost of attendance, as defined in section 472 of the Act.

"(c) ADJUSTMENTS FOR INSUFFICIENT APPROPRIATIONS.--In the event that funds available in a fiscal year are insufficient to fully fund all awards under this subpart, the amount paid to each student shall be reduced proportionately.

"SUMMER EMPLOYMENT OPPORTUNITIES FOR SCHOLARS

"SEC. 419Q. (a) PRIORITY FOR SUMMER EMPLOYMENT.--To the extent that they are otherwise qualified, students receiving scholarships under this part shall be given priority consideration for federally-financed summer employment in federally-funded research and development centers, that, to the maximum extent practicable, complements and reinforces the educational program of these students.

"(b) FEDERAL AGENCY COOPERATION.--Federal agencies shall cooperate fully with the Secretary and participate actively in providing appropriate summer employment opportunities for such students.".

CONFORMING AMENDMENTS

SEC. 202. (a) Section 401(b) of the Act is amended by striking out "subparts 1 through 8," and inserting in lieu thereof "subparts 1 through 9,".

(b) Section 481(a)(1) of the Act is amended by striking out "except subpart 6" and inserting in lieu thereof "except subparts 6 and 7".

(c) Section 483(f) of the Act is amended by striking out "subparts 4, 5, and 7" each place it appears and inserting in lieu thereof "subparts 4, 5, and 8".

EFFECTIVE DATE

SEC. 203. The amendments made by this title shall be effective on October 1, 1989 for academic year 1990-91 and succeeding academic years.

TITLE III--OTHER PROGRAMS

DRUG-FREE SCHOOLS URBAN EMERGENCY GRANTS

SEC. 301. The Drug-Free Schools and Communities Act of 1986 (20 U.S.C. 3171 et seq.) is amended--

(1) in section 5111(a)--

(A) in paragraph (1), by striking out "(other than part C)" and inserting in lieu thereof "(other than part C and section 5132(d))"; and

(B) at the end thereof, by adding a new paragraph to read as follows:

"(3) For the purpose of carrying out section 5132(d), there are authorized to be appropriated $25,000,000 for each of the fiscal years 1990, 1991, 1992, and 1993."; and

(2) in section 5132, by adding at the end thereof the following new subsection:

"(d) URBAN EMERGENCY GRANTS.--The Secretary shall use funds appropriated under section 5111(a)(3) to award a small number of one-time grants to local educational agencies that are located in urban areas that have the most severe drug problems, to assist those agencies in developing and implementing comprehensive approaches to eliminating the serious drug problems that affect schools and students within their boundaries.".

HISTORICALLY BLACK COLLEGES AND UNIVERSITIES

SEC. 302. Section 360(a)(3) of title III of the Higher Education Act of 1965 is amended--

(1) by inserting "(A)" immediately after "(3)"; and

(2) by adding at the end thereof a new subparagraph to read as follows:

"(B)(i) There are authorized to be appropriated $10,000,000 for fiscal year 1990, $20,000,000 for fiscal year 1991, $20,000,000 for fiscal year 1992, and $10,000,000 for fiscal year 1993 for awards under section 332 of the Act to historically Black colleges and universities that qualify as part B institutions.

"(ii) A part B institution that receives an award from funds appropriated for any fiscal year under clause (i) shall not be eligible to receive an award from funds appropriated for that fiscal year under subparagraph (A), but a part B institution that does not receive an award from funds appropriated for any fiscal year under clause (i) shall be eligible to receive an award from funds appropriated for that fiscal year under subparagraph (A).".

EFFECTIVE DATE

SEC. 303. The amendments made by this title shall be effective October 1, 1989.

# # #

EDUCATIONAL EXCELLENCE ACT OF 1989

Section-by-Section Analysis

TITLE I--IMPROVING ELEMENTARY AND SECONDARY EDUCATION

PART A--PRESIDENTIAL MERIT SCHOOLS

Section 101. Section 101 of the bill would add a new Part G to Title IV (Special Programs) of the Elementary and Secondary Education Act of 1965 ("ESEA"), to authorize a program of awards to Presidential Merit Schools, as follows:

Section 4701 of the ESEA would provide that the new Part G may be cited as the "Presidential Merit Schools Act" ("the Act").

Section 4702 of the Act would set forth congressional findings and a declaration of purpose for the Presidential Merit Schools Act. Subsection (a) would state Congress' findings that (1) the basic goal of all schools is to develop the skills and abilities of students to their maximum potential; (2) achievable standards of excellence can and should be set for all students and for all schools; (3) financial incentives can spur schools to rise to the challenge of meeting these standards; and (4) improvement in the quality of our educational system is vital to the Nation's future and demonstrated schoolwide progress in achieving excellence deserves public recognition.

Subsection (b) would provide that the purpose of the Act is to recognize and reward public and private elementary and secondary schools that have made substantial progress in (1) raising student educational achievement; (2) creating a safe and drug-free school environment; and (3) reducing the dropout rate.

Section 4703 of the Act would authorize $250 million for fiscal year 1990, $350 million for fiscal year 1991, $450 million for fiscal year 1992, and $500 million for fiscal year 1993, to carry out the Act.

Section 4704 of the Act would describe how appropriations for the Act would be allocated. Subsection (a)(1) would authorize the Secretary to reserve up to one quarter of one percent of the appropriated amount to make grants to the outlying areas -- Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and Palau -- for activities under the Act. Subsection (a)(2) would authorize the Secretary to reserve up to $500,000 of the appropriated amount for special award ceremonies, and for evaluations, studies, and reports.

Subsection (b) would direct the allocation among the States of the amount remaining after the Secretary reserves funds for the outlying areas and Secretarial activities under subsection

(a). Under paragraph (1)(A), half of this remaining amount would be allocated among the States in proportion to their respective number of children aged 5 to 17, according to the most recent available data that are satisfactory to the Secretary. Under paragraph (1)(B), the other half of this amount would be allocated among the States on the same basis as funds are allocated for that fiscal year for Basic LEA Grants under section 1005 of Chapter 1 of Title I of the ESEA ("Chapter 1"). Paragraph (2) would provide that the State allocation provisions apply only to the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico. This limitation is necessary because the outlying areas, which are otherwise included in the applicable definition of "State" in section 1471 of the ESEA, are provided for in subsection (a).

Section 4705(a) of the Act would require any State that wishes to receive a grant under the Act to submit a four-year application through its State educational agency ("SEA").

Subsection (b) would require that each State application contain (1) the criteria that the SEA will use to select Presidential Merit Schools; (2) the criteria it will use to determine the amount of awards; (3) an assurance that it will carry out the Act in accordance with applicable legal requirements; and (4) other information the Secretary may require.

Subsection (c) would make inapplicable certain burdensome and unnecessary application provisions of the General Education Provisions Act. This treatment of those provisions is identical to that afforded under Chapters 1 and 2 of Title I of the ESEA.

Section 4706(a) of the Act would permit each SEA to use up to five percent of its State grant for the administrative costs of carrying out the Act. Subsection (b) would require each SEA to use at least 95 percent of its State grant for Presidential Merit School awards in accordance with section 4708. To ensure appropriate recognition and reward of outstanding schools, subsection (c) would prohibit the Insular Areas from using their grant funds for other purposes, as would otherwise be permitted by the consolidation provisions of P.L. 93-134.

Section 4707(a) of the Act would require each participating SEA to establish a State review panel to assist in the selection of Presidential Merit Schools. The review panel would be broadly representative of elementary and secondary school teachers and administrators, college and university faculty and administrators, parents, State and local boards of education, State and local governments, labor, business, and the general public.

Subsection (b) would require each SEA, within 60 days of making Presidential Merit School awards for any fiscal year, to submit to the Secretary a report that (1) identifies the schools chosen as Presidential Merit Schools; (2) states the reasons for

their selection; and (3) states the amount of their awards. Beginning with the second year of its participation, each SEA's report would also include a brief description of the actual use of awards in the State.

Section 4708 of the Act would describe how Presidential Merit Schools are selected. Under subsection (a)(1), the SEA could designate as a Presidential Merit School any public or private elementary or secondary school in the State that has been nominated through procedures established by the SEA. Subsection (a)(2) would require the SEA to apply its selection criteria uniformly to public and private schools in selecting Presidential Merit Schools.

Subsections (b)(1) and (2) would direct the Secretary to establish minimum selection criteria to be used by each SEA. These criteria would address (1) progress in improving educational performance, with particular emphasis on mastery of reading, writing, and mathematics skills; (2) the degree to which the school demonstrates progress in achieving and maintaining a safe environment, including reduction or elimination of problems related to drug and alcohol abuse; and (3) progress in reducing the number of students who drop out of school or in encouraging those who have dropped out to reenter school and complete their schooling.

Subsection (c)(1) would require each SEA to establish selection criteria in addition to, and based on, those established by the Secretary. These additional criteria would measure progress in such areas as (1) student achievement, as measured by such factors as year-to-year improvement in test scores, college entrance rates, employment of graduates in jobs with significant potential for career development; and (2) other indicators of a school's success, such as improvements in school leadership, the teaching and learning environment, and parental and community support and involvement. Subsection (c)(2) would permit the SEA, in setting criteria for Presidential Merit Schools, to establish standards that recognize the composition of the student body and other relevant factors, and that give special consideration to schools with substantial numbers or proportions of children from low-income families. The SEA could also set different criteria for different grade levels. Subsection (c)(3) would require an SEA, in applying the criteria to a school in which a project is conducted under Part A of Chapter 1 to consider the desired outcomes identified for children in the Chapter 1 application submitted by the local educational agency operating the school. This paragraph would also make ineligible for a Presidential Merit School Award any school identified by its local educational agency as in need of improvement under section 1021(b) of Chapter 1. Subsection (c)(4) would prohibit an SEA from considering a school's planned use of an award in deciding whether to recognize it as a Presidential Merit School or in setting the amount of its award.

Subsection (d) would require each SEA to establish criteria, including criteria relating to the size of the school and the economic circumstances of the student body, for determining the amount of Presidential Merit School awards.

Subsection (e) would require any SEA that is either prohibited by State law from providing Presidential Merit School funds to private schools, or that is unwilling to do so, to notify the Secretary of that prohibition or unwillingness, as well as the private schools it has designated as Presidential Merit Schools and the amount of their awards. The Secretary would then provide those funds, from the State's allocation, to the designated private schools through such arrangements as the Secretary finds suitable. The Secretary would also withhold the administrative costs of making such arrangements from the State's allocation.

Section 4709 of the Act would provide that each Presidential Merit School would be awarded a Presidential Certificate of Merit.

Section 4710 of the Act would allow a Presidential Merit School to use its Presidential Merit School award for activities that further the educational program of the school. These activities could include (1) development, implementation, or expansion of special programs, such as those focused on dropout prevention or reentry, student transition to college or employment, preschool children, remedial services, or gifted and talented students; (2) the purchase or lease of computers, telecommunications equipment, scientific instruments, instructional materials, library books, and other equipment and materials, except that a public agency would have to have title to, and exercise administrative control of, such equipment and materials; (3) bonus payments for faculty and administrators; (4) college scholarships for secondary school students; (5) parental involvement activities; (6) community outreach activities; and (7) helping other schools replicate its success. Section 8004 of the ESEA, which would apply to the Act, prohibits the use of ESEA money for religious worship or instruction. The SEA would be responsible for ensuring that funds awarded to private schools under the Act are used in accordance with sections 4710(2) and 8004 and the Establishment Clause of the First Amendment to the U.S. Constitution.

Section 4711 of the Act would prohibit a Federal, State, or local agency from taking a Presidential Merit School award into account in determining whether to award any other assistance from Federal, State, or local resources, or in determining the amount of that assistance, to either the Presidential Merit School itself or the local educational agency, if any, that operates the school.

PART B--MAGNET SCHOOLS OF EXCELLENCE

Section 111. Section 111 of the bill would further amend Title IV of ESEA by adding a new part H, authorizing a new magnet schools program. The major provisions of the new part include the following:

Section 4801 of new part H would make the short title of the part the "Magnet Schools of Excellence Act of 1989" ("the Act").

Section 4802 of the Act sets out the congressional findings that since magnet school programs have shown that they increase choice and help to improve educational quality in the school districts where they have been established, and can focus on disciplines important to the Nation's economic competitiveness, Federal funds should be made available for the design and implementation of magnet schools, not only to further school desegregation but also to expand educational choices for students and parents and the educational benefits of such special school programs.

Section 4803 of the Act makes the purpose of the part the support for the establishment, expansion, or enhancement of Magnet Schools of Excellence. A "Magnet School of Excellence" would mean a public elementary or secondary school that: offers the highest quality instruction in an academic or vocational discipline or creates a unique and effective learning environment; is open to students from beyond an immediate school attendance area; and is capable of attracting students from a variety of backgrounds.

Section 4804 of the Act would authorize $100 million to be appropriated for fiscal year 1990 and each of the three succeeding fiscal years.

Section 4805 of the Act would require any local educational agency, intermediate educational agency, or consortia of such agencies desiring to receive a grant to submit an application to the Secretary. An applicant may be, but is not required to be, adopting or implementing a desegregation plan. Applications would describe the objectives of the proposed project and how those objectives would achieve the purpose of the part, and how funds made available to the applicant would be used to provide an educational program of the highest quality that encourages greater parental decision-making and involvement. Applications would also contain necessary assurances. Section 4805 would require the Secretary to encourage applications that recognize the potential of children who are educationally disadvantaged or who come from low-income families as well as applications for

projects that establish, expand, or enhance magnet schools that focus on a particular educational approach or on a particular subject area, such as mathematics and science. Applications would be required to demonstrate to the satisfaction of the Secretary that any project assisted with funds under this part would not result in segregation based upon race, religion, color, national origin, sex, or handicap, or impede the progress of desegregation within the applicant's school system.

Section 4806 of the Act would require the Secretary, in awarding grants, to consider the quality of the proposed project and the likelihood of the project's successful implementation, as well as the likelihood of its strengthening the educational program of the applicant.

Section 4807 of the Act would prohibit: (1) funding a Magnet School of Excellence under this part for more than two years; (2) an applicant from receiving a grant for more than one year unless it demonstrates to the Secretary that it is making satisfactory progress in meeting the objectives specified in its approved application; and (3) a Federal, State, or local agency from taking into account a Magnet School of Excellence award in determining to award any other assistance from Federal, State, or local resources, or in determining the amount of such assistance, to either a Magnet School of Excellence itself or to the local or intermediate educational agency that operates the school.

PART C--ALTERNATIVE CERTIFICATION FOR TEACHERS AND PRINCIPALS

Section 121. Section 121 of the bill would amend Title IV of ESEA by adding a new part I, authorizing a State grant program for the alternative certification of teachers and principals. The major provisions of the new part include the following:

Section 4901 of new part I would make the short title of the part the "Alternative Certification of Teachers and Principals Assistance Act of 1989" ("the Act").

Section 4902 of the Act would set out the congressional findings that alternative teacher and principal certification requirements would allow school systems to improve the supply of well-qualified teachers and principals by providing opportunities for individuals who have demonstrated subject area competence or management and leadership qualities, but who do not meet traditional certification requirements, to become teachers or principals.

Section 4903 of the Act would establish the purpose of part I as improving the supply of well-qualified elementary and secondary teachers and principals by encouraging and assisting States to develop and implement alternative teacher and principal certification requirements. "Alternative teacher and principal certification requirements" would mean State requirements that permit entry into teacher and principal positions for individuals who have demonstrated a high level of appropriate subject area competence, or management or leadership qualities, in careers in or out of the education field, but who would not otherwise meet existing requirements for teaching or supervisory experience. Such alternative certification requirements could substitute a demonstrated high level of subject area or managerial competence for traditional teacher or principal certification requirements, such as teacher training course work or supervisory experience in the education system.

Section 4904 of the Act would authorize $25 million to be appropriated for fiscal year 1990.

Section 4905 of the Act would allot to each State the lesser of either the amount the State applies for or an amount that is proportional to the State's share of the total population of children ages five through seventeen in all the States. States would not be required to apply for their allotments, or the full amount of their allotments, and the Secretary would be authorized to reallocate the excess amounts to other States that demonstrate, to the satisfaction of the Secretary, a current need for the funds. Section 4905 would also permit grant funds to be available for expenditure by the States for two calendar years from the date of award.

Section 4906 of the Act would require States desiring to receive funds under the part to submit an application. Such applications would be required to contain descriptions of the programs, projects, and activities to be undertaken and any necessary assurances, including assurances that grant funds will not be used to supplant State or local funds and that the State has consulted with the State or local agency that certifies teachers and principals, as well as with representatives of elementary and secondary school teachers and principals, local school systems, parents, and other interested organizations and individuals. Section 4906 would exempt State applications from certain planning requirements of sections 435 and 436 of the General Education Provisions Act, except to the extent that such sections relate to fiscal control and fund accounting procedures. Section 4906 would require States to submit a final report at such time as the Secretary may specify.

Section 4907 of the Act would allow States, either directly or through subgrants to local educational agencies, intermediate educational agencies, institutions of higher education, or consortia of such agencies, to use award funds to support programs, projects, or activities that develop and implement new, or expand and improve existing, alternative teacher and principal certification requirements. Section 4907 would also list some programs, projects, and activities that may be funded, including design, testing, and evaluation of alternative requirements, establishment of administrative structures, training of staff (including the development of support programs, such as mentor programs), development of recruitment strategies, and development of reciprocity agreements between or among States.

Section 4908 of the Act would repeal the Alternative Certification of Teachers and Principals Assistance Act of 1989 on October 1, 1990.

PART D--PRESIDENTIAL AWARDS FOR EXCELLENCE IN EDUCATION

Section 131. Section 131 of the bill would amend the heading for title II of the Elementary and Secondary Education Act of 1965 ("the Act"), and add a new part D to that title II to authorize a Presidential Awards for Excellence in Education Program. The new program would honor excellent public and private elementary and secondary school teachers in each State for their achievements with $5,000 awards that recipients could use for any purpose. The Presidential Awards for Excellence in Education would be tangible recognition of the critical role that outstanding teachers play in the lives of America's children, challenging them to meet high standards of performance and conveying to them how exciting and important their schooling is.

Section 2301 of the Act would state the congressional findings that the success of America's schools depends on excellent teachers, that elementary and secondary school systems should have in place standards of teacher excellence and ways to measure that excellence, and that teachers who meet those standards deserve public recognition, respect, and appropriate financial rewards. Section 2301 would also state the new program's purpose as providing to excellent public and private elementary and secondary school teachers in every State some of the recognition and financial reward that they deserve.

Section 2302 of the Act would authorize appropriations of $7,600,000 for fiscal year 1990 and each of the three succeeding fiscal years for the new program, and describe the allocation formula for the Presidential Awards for Excellence in Education Program. First, from the funds appropriated for any fiscal year, the Secretary could reserve up to $200,000 for expenses related to an annual award ceremony and the issuance of award certificates. Next, the Secretary would allocate funds to States based on their proportional share of full-time equivalent public elementary and secondary school teachers. A State could reserve up to five percent of its allocation for administrative expenses. No State would receive an allocation less than the amount needed to fund one Presidential Award for Excellence in Education plus its administrative expenses. The State could use any excess funds in its allocation to recognize the achievements of other teachers in the State who do not receive Presidential Awards for Excellence in Education.

Section 2302 of the Act would also include a definition of the term "State" for purposes of the new program, and, to ensure appropriate recognition and reward of outstanding teachers, would specify that the provisions of Public Law 93-134, which permit the consolidation of grants to the Insular Areas, would not apply to the new program.

Section 2303 of the Act would detail requirements for the submission and the contents of State applications for participation in the award program. These applications would include certain assurances and descriptions of the State's selection criteria and procedures. The State's selection criteria and procedures would be subject to the approval of the Secretary.

Section 2304 of the Act would contain provisions pertaining to the eligibility and selection of award recipients. Any full-time public or private elementary or secondary school teacher of academic or vocational subjects (other than religion, except as an academic discipline) would be eligible to receive a Presidential Award for Excellence in Education. Local educational agencies, public and private schools, teachers, teacher associations, parents, parent-teacher associations, businesses, business groups and student groups would all be able to nominate teachers for awards, and State educational agencies would be required to inform these entities and the general public of the nominating deadlines, procedures, and selection criteria. The Governor of each State, in consultation with the chief State school officer, would select a panel of parents, school administrators, teachers, school board members, and members of the business community. This panel would select award recipients in accordance with criteria approved by the Secretary in the State's application. The selection criteria could take into account, but would not be limited to, a teacher's successes in such areas as the education of "at-risk" or gifted and talented students, dropout prevention and reentry, curriculum development, acting as a "master teacher" for inexperienced teachers, or encouraging students to pursue advanced classes in subjects such as mathematics, science, or foreign languages.

Section 2305 of the Act would specify that the amount of a Presidential Award for Excellence in Education would be $5,000, and that the recipient could use the award for any purpose.

PART E--EFFECTIVE DATE

Section 141. Section 141 of the bill would provide that the amendments made by title I of the bill would be effective on October 1, 1989.

TITLE II--NATIONAL SCIENCE SCHOLARS

Section 201. Section 201 of the bill would insert a new subpart 7 in part A of title IV of the Higher Education Act of 1965 ("the Act") and redesignate subparts 7 and 8 of the current law as subparts 8 and 9. New subpart 7 would establish a new National Science Scholars Program that would provide graduating high school students selected by the President with awards of up to $10,000 per year for their undergraduate postsecondary education, provided that the students major in the life, physical, or computer sciences, mathematics, or engineering, and maintain a superior level of academic performance.

Section 419L of the Act would state the program's purpose of recognizing student excellence in the sciences, mathematics, or engineering, and encouraging students to continue their education in those fields of study, and would authorize appropriations of $5,000,000 for fiscal year 1990, $10,000,000 for fiscal year 1991, $15,000,000 for fiscal year 1992, and $20,000,000 for fiscal year 1993.

Section 419M of the Act would authorize the Secretary to enter into grants, contracts, and cooperative agreements in order to carry out a program of awarding scholarships to students who are selected by the President and who have demonstrated excellence in the sciences, mathematics, or engineering, and who show promise of continued academic achievement in their field of study. The initial scholarship would be awarded for the student's first year of postsecondary education. If the student continues to be eligible, as would be determined under section 419O of the Act, the student would receive scholarships for up to three additional years, to enable the student to complete his or her undergraduate postsecondary education. If the student is in a course of study that requires attendance for five academic years, the student could receive an additional scholarship for the fifth year. Section 419M also would provide that a scholarship awarded under this subpart could be used at any institution of higher education, as that term is defined in section 1201(a) of the Act, and that students receiving awards under this subpart would be known as "National Science Scholars."

Section 419N of the Act would detail the selection of National Science Scholars. First, the Secretary would appoint a panel of experts composed of scientists, mathematicians, engineers and representatives from industries that use advanced technologies. This panel would recommend specific academic achievement criteria for use in the nomination of students to receive scholarships. The Secretary would then review these recommendations and publish appropriate academic achievement criteria in the Federal Register. Using these criteria, each

State would nominate at least four, but not more than 10, graduating high school students each year from each congressional district within that State. After considering the students nominated, the President would then select at least 30 students to receive scholarships. The President may consult with a board comprised of his Science Advisor, the Secretary, and the Director of the National Science Foundation, regarding the selection of students for these scholarships.

The President would also select an additional 540 students to receive scholarships. Each Senator and Member of the House of Representatives would be entitled to make recommendations to the President regarding the selection of one student to receive a scholarship from among the nominees. This selection process would emphasize the prestigious nature of a National Science Scholarship, and enhance the program's visibility.

Section 419N of the Act would also provide that scholarship proceeds would be disbursed on behalf of students directly to the institutions that the students are attending, but not until the students are actually enrolled. Institutions would disburse to the students the amount of scholarship proceeds that exceed the students' costs at the institution--for example, the institution would retain the amount of scholarship proceeds that is to cover tuition and fees, but would pay to the student amounts that are meant to cover off-campus room and board expenses.

Section 4190 of the Act would describe the requirements for a student's eligibility to receive initial and continuing awards, and the consequences for failing to meet these requirements. In order to be eligible to receive a National Science Scholarship for the first year of undergraduate study, a student would have to graduate from a public or private secondary school (or obtain the equivalent of a certificate of graduation, as recognized by the State in which the student resides) during the school year in which the award is made or be scheduled to graduate within three months after the date the scholarship is awarded. A student must also be accepted for enrollment as a full-time student at an institution of higher education (as defined in section 1201(a) of the Act) and have declared a major in one of the life, physical or computer sciences, mathematics, or engineering. What constitutes full-time attendance would be determined by the institution, and the Secretary could waive the full-time attendance requirement in unusual circumstances. These requirements would ensure that the program's dual purposes of rewarding academic excellence at the high school level and encouraging talented students to pursue their postsecondary education in one of the life, physical, or computer sciences, mathematics, or engineering are met.

In order to receive scholarships for additional years of undergraduate study, the student would have to maintain a

superior level of academic achievement (as determined in accordance with the regulations of the Secretary), continue to major in one of the specified fields of study, and to be enrolled at an eligible institution of higher education as a full-time student (except in unusual circumstances). The size of the award, the prestige associated with selection as a National Science Scholar, and the program's purpose of rewarding and encouraging academic excellence in the sciences, mathematics, and engineering, all necessitate that the student continue to achieve a superior level of academic performance and pursue these fields of study.

If the student fails to meet any of the eligibility requirements, the student's eligibility to receive further National Science Scholarships would be determined in accordance with regulations prescribed by the Secretary.

Section 419P of the Act would provide that the amount of a scholarship awarded under this subpart for any academic year would be $10,000, subject to two restrictions. First, the amount of a National Science Scholarship would not exceed the student's cost of attendance, as defined in section 472 of the Act. Second, if the total of the amount of the National Science Scholarship and other Federal or non-Federal grant or scholarship assistance would exceed the student's cost of attendance as defined in section 472 of the Act, the National Science Scholarship would be reduced by the excess amount. While basing the scholarship on merit and authorizing an award amount of $10,000 per year are designed to establish a National Science Scholarship as a prestigious honor, the scholarship must bear some relation to the student's educational costs. Need analysis provisions for title IV of the Act require that the Pell Grant be the first source of Federal student assistance, and, if necessary, that other sources be reduced.

Finally, section 419Q of the Act would provide students with priority consideration for Federally-financed summer employment related to their field of study in Federally-funded research and development centers. All Federal agencies would also be directed to cooperate with the Secretary and to participate actively in providing appropriate summer employment opportunities for students.

Section 202. Section 202 of the bill would make minor amendments to the Act in conformity with the proposed re-designation of subparts 7 and 8 of part A of title IV of the Act.

Section 203. Section 203 of the bill would provide that the amendments made in title II of the bill would be effective on October 1, 1989 for academic year 1990-1991 and succeeding academic years.

TITLE III--OTHER PROGRAMS

Section 301. Section 301 of the bill would amend the Drug-Free Schools and Communities Act to authorize the appropriation of $25,000,000 for fiscal years 1990, 1991, 1992, and 1993 to support "urban emergency grants." The Secretary would make a small number of these one-time grants each year to local educational agencies that are located in urban areas that have the most severe drug problems. The grants would assist those agencies to develop and implement comprehensive approaches to eliminating the serious drug problems that affect schools and students within their boundaries.

Section 302. Section 302 of the bill would amend section 360(a)(3) of the Higher Education Act of 1965 to authorize additional appropriations for endowment challenge grants under part C of title III of that Act for historically Black colleges and universities that qualify as part B institutions. As amended, section 360(a)(3)(B)(i) would authorize $10,000,000 for fiscal year 1990, $20,000,000 for fiscal year 1991, $20,000,000 for fiscal year 1992, and $10,000,000 for fiscal year 1993 for endowment challenge grants to such institutions. Section 360(a)(3)(B)(ii) would clarify that if for any fiscal year a part B institution competes successfully for an award from funds appropriated under the additional authorization in clause (i), it could not receive funds for that fiscal year appropriated under the basic authorization for the part C program in section 360(a)(3)(A), but that if for any fiscal year a part B institution does not receive an award from funds appropriated under the additional authorization in clause (i), that institution would be eligible to compete for and receive funds for that fiscal year appropriated under the basic authorization in subparagraph (A).

Section 303. Section 303 of the bill would provide that the amendments made by title III of the bill would be effective October 1, 1989.